BV2003-109

SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM

SUBJECT: REQUEST FOR REAR YARD SETBACK VARIANCE FROM 20 FT TO 24 FT FOR THE CONSTRUCTION OF AN ADDITION; (TIMOTHY W. TEMPLIN, APPLICANT).

DEPARTMENT: Planning & Development **DIVISION:** Planning

AUTHORIZED BY: Earnest McDonald **CONTACT:** Earnest McDonald **EXT.** 7430

Agenda Date 08-22-03 **Regular** ☐ **Consent** ☒ **Public Hearing – 6:00** ☐

MOTION/RECOMMENDATION:

1. **APPROVE** THE REQUEST FOR REAR YARD SETBACK VARIANCE FROM 30 FT TO 24 FT FOR THE CONSTRUCTION OF AN ADDITION (TIMOTHY W. TEMPLIN, APPLICANT); OR
2. **DENY** THE REQUEST FOR REAR YARD SETBACK VARIANCE FROM 30 FT TO 24 FT FOR THE CONSTRUCTION OF AN ADDITION (TIMOTHY W. TEMPLIN, APPLICANT); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

(Commission District # 5, McLain) (Earnest McDonald, Principal Coordinator)

GENERAL INFORMATION	TIMOTHY W. TEMPLIN, APPLICANT 1761 BEACON DRIVE SANFORD, FL 32771	R-1AA DISTRICT, LDC SECTION 30.206 (YARD REGULATIONS)
BACKGROUND / REQUEST	• THE REAR YARD OF THE SUBJECT PROPERTY IS DEFINED BY THE LDC AS A WATERFRONT YARD, WHICH IS A YARD REQUIRED ON WATERFRONT PROPERTY WITH DEPTH MEASURED FROM THE MEAN-HIGH-WATER LINE. • THE APPLICANT PROPOSES TO CONSTRUCT AN ADDITION ON AN EXISTING CONCRETE PAD, WHICH WOULD ENCROACH 6 FT INTO THE MINIMUM REAR YARD SETBACK. • A (WATERFRONT) REAR YARD SETBACK FROM 30 FT TO 24 FT IS THEREBY REQUESTED. • THERE IS NO RECORD OF PRIOR VARIANCES HAVING BEEN GRANTED FOR THIS PROPERTY.	
STAFF FINDINGS	• THE APPLICANT HAS SATISFIED THE CRITERIA FOR THE GRANT OF A VARIANCE, AS STATED BELOW: o THE REAR OF THE PROPERTY ABUTS A CANAL OFF	

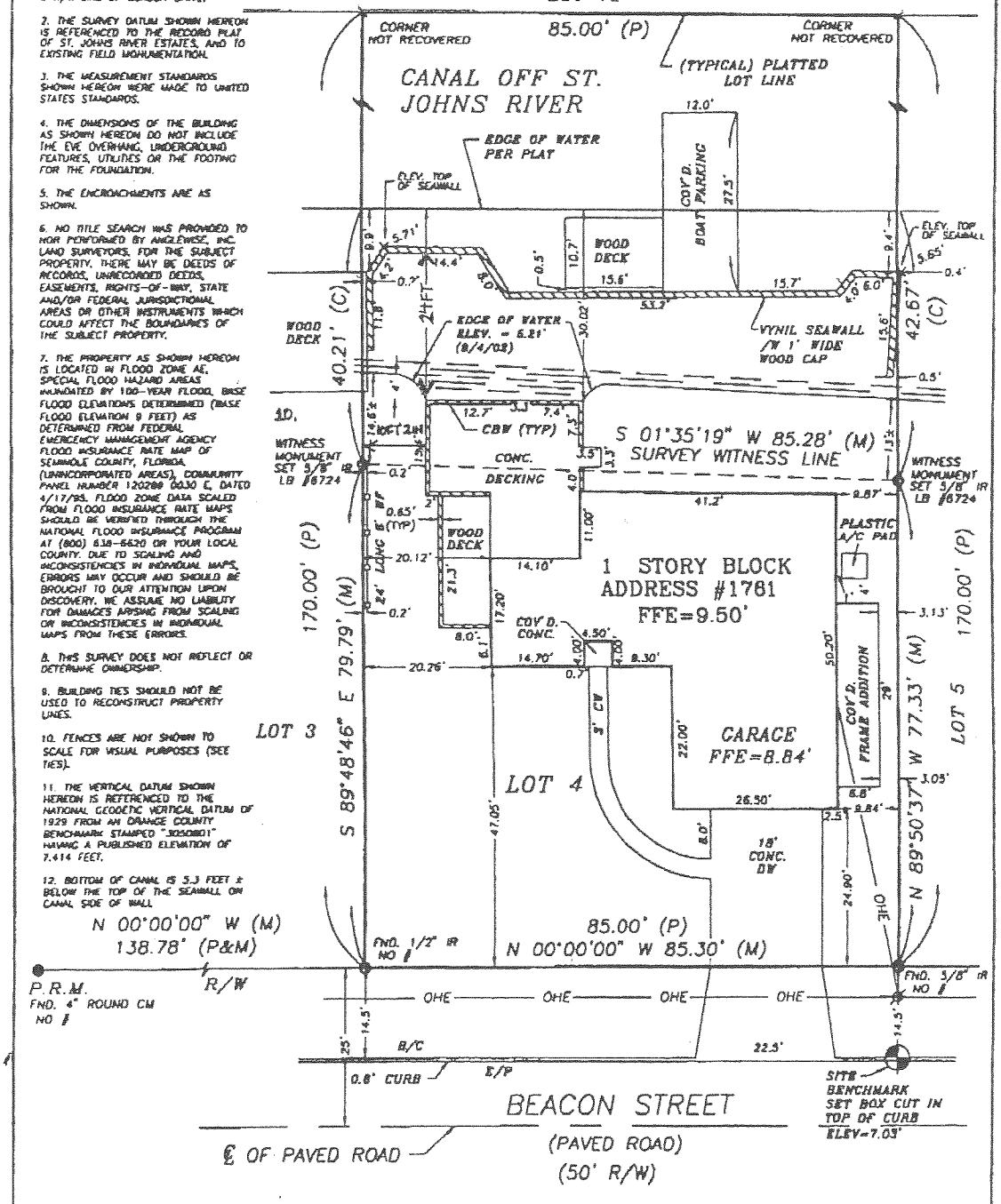
	THE ST. JOHN'S RIVER. AT THE TIME THE CONCRETE PAD WAS CONSTRUCTED IN 1980, THE 30 FT (WATERFRONT) REAR YARD SETBACK COULD HAVE BEEN COMPLIED WITH. EROSION TO THE SHORE OF THE CANAL, IN COMBINATION WITH THE VINYL SEAWALL INSTALLED IN 2002 TO MITIGATE THE SAME, HAS REDUCED THE REAR YARD SETBACK FROM 30 FT TO 24 FT. THIS FACTOR CONSTITUTES A SPECIAL CONDITION, WHICH IS UNIQUE TO WATERFRONT PROPERTIES AND THEREBY CONSTITUTES A HARDSHIP. ○ THE GRANT OF THE REQUESTED VARIANCE WOULD NOT CONFER SPECIAL PRIVILEGES DENIED TO OTHER PROPERTIES IN THE R-1AA DISTRICT, SINCE THE ADDITION WOULD HAVE OTHERWISE COMPLIED WITH THE MINIMUM SETBACK IF NOT FOR THE AFOREDESCRIBED SHORELINE EROSION AND MITIGATING SEAWALL. ○ THE REQUESTED VARIANCE WOULD BE THE MINIMUM THAT WOULD MAKE POSSIBLE THE REASONABLE USE OF THE SUBJECT PROPERTY.
STAFF RECOMMENDATION	STAFF THEREBY RECOMMENDS THE BOARD OF ADJUSTMENT APPROVE THE VARIANCE REQUESTED, SUBJECT TO THE IMPOSITION OF THE FOLLOWING CONDITION: • ANY VARIANCE GRANTED SHOULD APPLY ONLY TO THE PROPOSED ADDITION AS SHOWN ON THE ATTACHED SITE PLAN.

MAP OF BOUNDARY SURVEY

SCALE 1" = 20'

DESCRIPTION (AS FURNISHED)

LOT 4, ST. JOHNS RIVER ESTATES AS RECORDED IN PLAT BOOK 13, PAGE 54, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.



SURVEYOR'S NOTES:

1. THE BEARINGS AS SHOWN HEREON ARE REFERENCED TO THE ASSUMED BEARING OF N90°00'00"W ALONG THE S R/W LINE OF BEACON DRIVE.

2. THE SURVEY DATUM SHOWN HEREON IS REFERENCED TO THE RECORD PLAT OF ST. JOHNS RIVER ESTATES, AND TO EXISTING FIELD MONUMENTATION.

3. THE MEASUREMENT STANDARDS SHOWN HEREON WERE MADE TO UNITED STATES STANDARDS.

4. THE DIMENSIONS OF THE BUILDING AS SHOWN HEREON DO NOT INCLUDE THE EVE OVERHANG, UNDERGROUND FEATURES, UTILITIES OR THE FOOTING FOR THE FOUNDATION.

5. THE ENCROACHMENTS ARE AS SHOWN.

6. NO TITLE SEARCH WAS PROVIDED TO NOR PERFORMED BY ANGLEWISE, INC. LAND SURVEYORS, FOR THE SUBJECT PROPERTY. THERE MAY BE DEEDS OF RECORDS, UNRECORDED DEEDS, EASEMENTS, RIGHTS-OF-WAY, STATE AND/OR FEDERAL JURISDICTIONAL AREAS OR OTHER INSTRUMENTS WHICH COULD AFFECT THE BOUNDARIES OF THE SUBJECT PROPERTY.

7. THE PROPERTY AS SHOWN HEREON IS LOCATED IN FLOOD ZONE AE, SPECIAL FLOOD HAZARD AREAS INUNDATED BY 100-YEAR FLOOD, BASE FLOOD ELEVATIONS DETERMINED (BASE FLOOD ELEVATION 9 FEET) AS DETERMINED FROM FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP OF SEMINOLE COUNTY, FLORIDA, (UNINCORPORATED AREAS), COMMUNITY PANEL NUMBER 120289 0030 E, DATED 4/17/95. FLOOD ZONE DATA SCALED FROM FLOOD INSURANCE RATE MAPS SHOULD BE VERIFIED THROUGH THE NATIONAL FLOOD INSURANCE PROGRAM AT (800) 638-6620 OR YOUR LOCAL COUNTY. DUE TO SCALING AND INCONSISTENCIES IN INDIVIDUAL MAPS, ERRORS MAY OCCUR AND SHOULD BE BROUGHT TO OUR ATTENTION UPON DISCOVERY. WE ASSUME NO LIABILITY FOR DAMAGES ARISING FROM SCALING OR INCONSISTENCIES IN INDIVIDUAL MAPS FROM THESE ERRORS.

8. THIS SURVEY DOES NOT REFLECT OR DETERMINE OWNERSHIP.

9. BUILDING TIES SHOULD NOT BE USED TO RECONSTRUCT PROPERTY LINES.

10. FENCES ARE NOT SHOWN TO SCALE FOR VISUAL PURPOSES (SEE TIES).

11. THE VERTICAL DATUM SHOWN HEREON IS REFERENCED TO THE NATIONAL GEODETIC VERTICAL DATUM OF 1929 FROM AN ORANGE COUNTY BENCHMARK STAMPED "305080" HAVING A PUBLISHED ELEVATION OF 7.414 FEET.

12. BOTTOM OF CANAL IS 5.3 FEET ± BELOW THE TOP OF THE SEAWALL ON CANAL SIDE OF WALL.

CERTIFIED TO: TIMOTHY W. TEMPLIN; WISE MARINE CONSTRUCTION;

FIELD DATE: 9/4/02	PARTY CHIEF: GREENE
SCALE: 1" = 20'	FB/PAGE: 24/12
DRAWN BY: LEONARD	REVIEWED BY: WG

REVISIONS:

FILE NAME/ NUMBER: STJOHNSRIVERESTLOT4

LEGEND

A/C	AIR CONDITIONER PAD	IP	IRON PIPE
ALIAS	ALSO KNOWN AS	L	ARC LENGTH
B/C	BACK OF CURB	LP	LIGHT POLE
C	CHORD	LB	LICENSED BUSINESS
CATV	CABLE TELEVISION LINE	(M)	MEASURED
CALC	CALCULATED	MS	METAL SHED
CB	CHORD BEARING	NAIL	NAIL & DISK
CBW	CONCRETE BLOCK WALL	OR	OR LINE
CM	CONCRETE MONUMENT	(P)	PLAT
COV'D	COVERED	PC	POINT OF CURVATURE
CONC.	CONCRETE	PCP	PERMANENT CONTROL POINT
CW	CONCRETE WALKWAY	POB	POINT OF BEGINNING
℄	CENTER LINE	POC	POINT OF COMMENCEMENT
CLF	CHAIN LINKED FENCE	PRM	PERMANENT REFERENCE MONUMENT
CP	CONCRETE PAD	PLAT	PLAT & MONUMENT
Δ	CENTRAL ANGLE	R/W	RIGHT OF WAY
DE	DRAINAGE EASEMENT	R	RADIUS
DESC	DESCRIPTION	S 5.71'	SPOT ELEVATION
ELEV	ELEVATION	UB	UTILITY BOX
E/P	EDGE OF PAVEMENT	UE	UTILITY EASEMENT
FFE	FINISH FLOOR ELEVATION	WF	WOOD FENCE
FND	FOUND	WM	WATER METER
IR	IRON ROD	△	WOODEN WALKEY POLE
		WS	WOODEN SHED

ANGLEWISE, INC. LAND SURVEYORS
721 Virginia Drive
Orlando, Florida 32803
Tel. (407) 895-1727
Fax (407) 895-8587
anglewise@aol.com
CERTIFICATE OF AUTHORIZATION LB# 6724

THIS SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS IN CHAP. 61G17-6, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SEC. 472.027, FLORIDA STATUTES.

9/13/02

WILLIAM F. GRIZZELL - PROFESSIONAL SURVEYOR & MAPPER #5975 STATE OF FLORIDA

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

VARIANCE
APPLICATION TO THE SEMINOLE COUNTY BOARD OF ADJUSTMENT

COPY

APPLICANT: TIMOTHY W. TEMPLIN

COMPLETE MAILING ADDRESS: 1761 BEACON DR. SANFORD, FL. 32771

PHONE: WORK: _____ HOME: 407-321-7472 FAX: _____

CELL PHONE: _____ Email: TIMLISE@BELLSOUTH.NET

PROPERTY OWNER OF RECORD: TIMOTHY W. TEMPLIN

SITE OF REQUEST: 1761 BEACON DRIVE, SANFORD, FL. 32771

STATEMENT OF HARDSHIP: EXISTING UNCOMPLETED STRUCTURE HAS BEEN UNDERMINED BY SOIL EROSION AND NEEDS REPLACEMENT

REQUEST: PERMISSION TO REMOVE EXISTING STRUCTURE AND REPLACE WITH NEW CONSTRUCTION TO SAME DIMENSIONS AND ~~CONTINUE TO ENCLOSE WITH CONVENTIONAL ROOF AND SCREENING~~.

LEGAL DESCRIPTION OF PROPERTY: LOT 4, BLOCK B, ST. JOHN'S RIVER ESTATES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 13, PAGE 54, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA

TAX PARCEL ID NO. 17-19-30-501-0B00-0040

Hardship - presence of canal makes compliance w/ RYSB impossible (from 30' to 24') (Replacement of rear addition; mean high water mark has eroded since last addition was constructed
-~~Waterfront~~ Yard (Same as front yard SB) 25FT to _____

KNOWN CODE ENFORCEMENT VIOLATIONS ON PROPERTY: NONE

EACH APPLICATION WILL BE ACCOMPANIED BY THE FOLLOWING:

Applicant must be the property owner. Someone other than the property owner may act on the property owner's behalf at the public hearing; however, a letter of authorization from the property owner must be submitted to the County. One 8.5" X 14" site plan and application fee.

SIGNATURE OF APPLICANT: Timothy W. Templin DATE: JULY 11, 2003

FOR OFFICE USE ONLY

FEE: 150.00 CK# 2331 RECEIPT# _____ DATE _____ ZONING DISTRICT: R-1AA

FURTHER DESCRIBED AS: _____

_____ LOT SIZE: _____

PROCESSING:

A. LEGAL AD TO NEWSPAPER _____/_____ B. NOTICE TO PROPERTY OWNERS _____

C. PLACARDS / NOTICE _____/_____ D. PROJECT NO. 03 30000 113

E. BOARD ACTION / DATE _____/_____ F. LETTER TO APPLICANT _____

G. PUD SETBACKS _____

INITIAL CONFERENCE 7/11/03

BCC DISTRICT _____

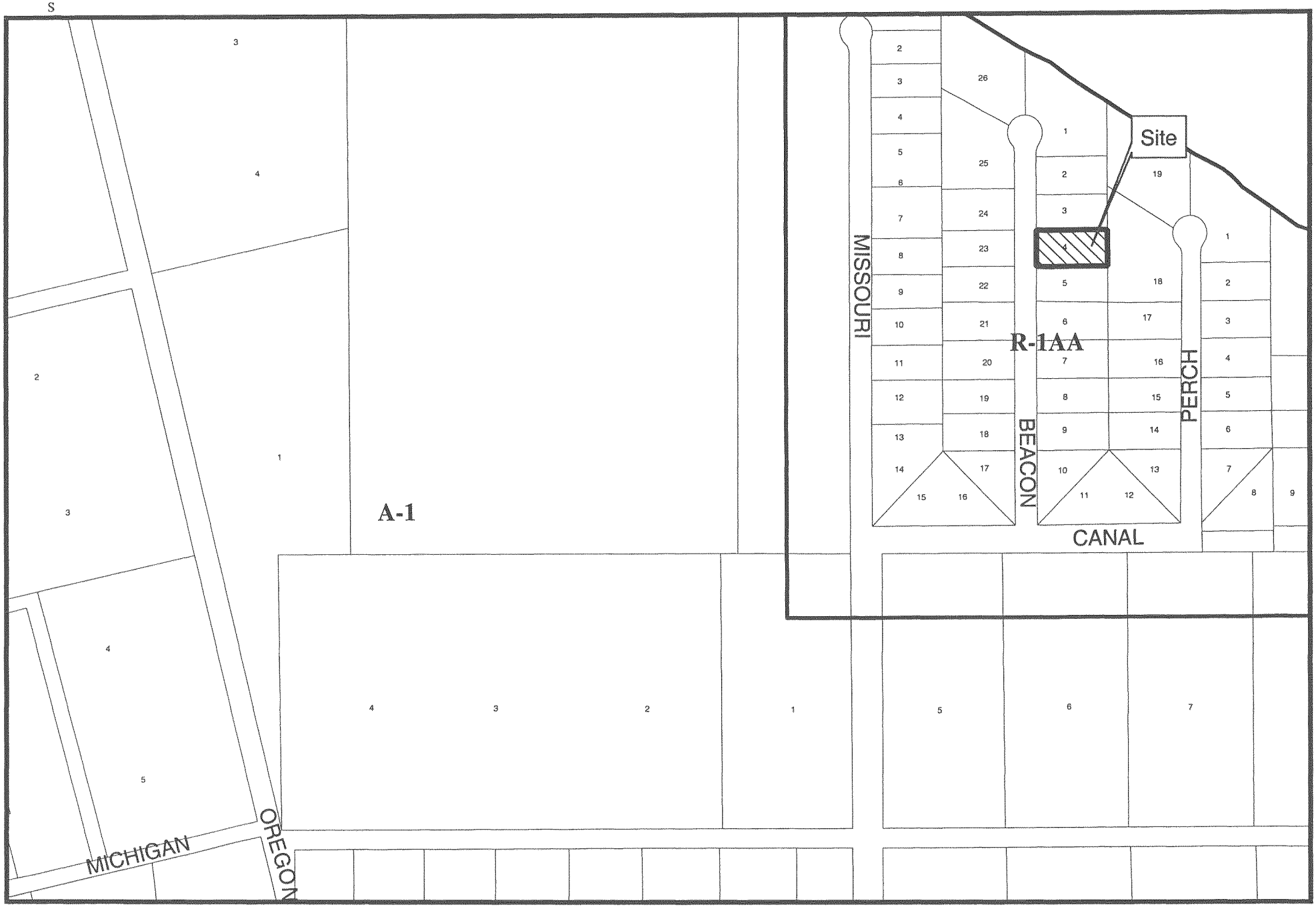
PLANNER ERM

FILE NO. BV 2003-109

* Applicant will provide 5YSB for proposed addition
* No vicious dogs on property

MEETING DATE August 25, 03

Timothy W. Templin
1761 Beacon Drive



Parcel: 17-19-30-501-0B00-0040
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